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Message Text

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PAGE 01 LIMA 10103 291750Z

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ACTION EB-07

INFO OCT-01 ARA-10 ISO-00 COME-00 AID-05 RSC-01 /024 W
---------- 030517
R 291637Z NOV 74
FM AMEMBASSY LIMA
TO AMEMBASSY LA PAZ
INFO SECSTATE WASHDC 2937
AMEMBASSY CARACAS

UNCLAS LIMA 10103

EO 11652: N/A
TAGS: BEXP, EFIN, BL
SUBJECT: ANDEAN PACT: ELIGIBILITY OF U.S. FIRMS FOR
CAF-FINANCED FEASIBILITY STUDIES

REF: LA PAZ 7599

1. ANDEAN DEVELOPMENT CORPORATION (CAF) HAS NO INTERNAL REGULATIONS WHICH RESTRICT ELIGIBILITY OF FOREIGN FIRMS TO DO FEASIBILITY STUDIES. HOWEVER, SOME MEMBER COUNTIRES HAVE NATIONAL REGULATIONS WHICH REQUIRE FOREIGN FIRMS TO ASSOCIATE WITH LOCAL COMPANIES FOR CERTAIN TYPES OF WORK. ANDEAN PACT COMMISSION HAS REGULATED THIS IN DECISION 84 (BASES FOR A SUB-REGIONAL TECHNOLOGY POLICY) ON JUNE 5, 1974, AS FOLLOWS.

2. PARAGRAPH B, ART. 12: "IN CONTRACTING FOR RESEARCH, CONSULTING AND ENGINEERING SERVICES ON PART OF STATE ORGANIZATIONS, INSTITUTIONS AND ENTERPRISES OF THE MEMBER COUNTIRES, PREFERENCE SHALL BE GIVEN TO ANDEAN NATURAL PERSONS AND NATIONAL, MIXED OR MULTINATIONAL ANDEAN ENTERPRISES, OVER NATURAL PERSONS OR ENTERPRISES FROM THIRD COUNTRIES, PROVIDED THAT CONDITIONS ARE COMPARABLE;"

3. PARAGRAPH C, ART. 12: "CONTRACTS FOR SERVICES ENTERED INTO BY STATE ORGANIZATIONS, INSTITUTIONS AND ENTERPRISES WITH CONSULTING FIRMS FROM THIRD COUNTRIES
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SHALL STIPULATE THE OBLIGATION THAT THE SERVICE BE

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RENDERED WITH THE PARTICIPATION OF NATIONAL OR MIXED
ENTERPRISES OF THE MEBER COUNTIRES OR WITH ANDEAN
MULTINATIONALENTERPRISES."

4. IN THE SPECIFIC CASE DISCUSSED IN REFTEL, INALPRE,
NOT CAF, REPORTEDLY TOOK INITIATIVE IN LIMITING ELIGI-
BILITY TO BOLIVIAN AND LATIN AMERICAN CONSULTING FIRMS.
HOWEVER, ACCORDING TO CAF REPRESENTATIVE IN LIMA,
FOREIGN FIRMS CAN PARTICIPATE IN COOPERATION WITH
LOCAL CONSULTING FIRMS. HE MENTIONED THAT A PERUVIAN
CONSULTING FIRM, WHICH WILL BID ON ONE OF THE BOLIVIAN
PROJECTS, WILL EMPHASIZE TECHNICAL BACKSTOPPING ARRANGE-
MENT WITH U.S. CONSULTING FIRM IN CARRYING OUT
FEASIBILITY STUDY.
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